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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/661,876	09/14/2000	Joshua Haghpasand		9275
7590	03/23/2006			
Steven Horowitz Counselor at Law 295 Madison Avenue Suite 700 New York, NY 10017			EXAMINER SWEARINGEN, JEFFREY R	
			ART UNIT 2145	PAPER NUMBER

DATE MAILED: 03/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/661,876

Applicant(s)

HAGHPASSAND, JOSHUA

Examiner

Jeffrey R. Swearingen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30,32-35 and 37-124 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30,32-35 and 37-124 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

1. This case is reassigned to a new Examiner.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 9/28/2005 has been entered.

3. The indicated allowability of claims 1-58 is withdrawn in view of the newly discovered reference(s). Rejections based on the newly cited reference(s) follow.

Claim Objections

4. Claims 9, 10, 29, and 103-114 are objected to because of the following informalities: Grammatical errors are present around the phrase dealing with a fourth type of user account. Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 1-2, 5-7, 9-10, 12, 14, 16, 18, 29-30, 35, 40-42, 46-47, and 103-114 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains

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subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

7. In regard to claims 1, 5, 7, 41, and 46 it is unclear whether the second proxy server is located on the same machine as the first proxy server, or is located externally to the machine containing the first proxy server. If the second proxy server is located on the same machine as the first proxy server, one of ordinary skill in the art would be unable to implement multiple proxy servers on top of each other within the same machine.

8. In regard to claims 1, 5, 7, 9, 10, 29, 30, 35, 40, 41, 42, 46, 47, and 103-114 one of ordinary skill in the art would be unable to implement a "self-configuring" administrator account based upon the specification. At no point is any artificial intelligence or similar functionality defined or described that would allow a computer administrator account to configure itself, and no explanation of this self-configuration is located within the specification. One of ordinary skill in the art would not be aware of techniques to create artificially intelligent self-configuring accounts, or of their implementation in a proxy server.

9. In regard to claims 1, 5, 7, and 41 one of ordinary skill in the art would be unclear how a holder of an administrator account could configure an IP address if the administrator account is in fact self-configuring.

10. In regard to claims 2 and 6, it is unclear how a second proxy server can be a first proxy server.

11. In regard to claims 12, 14, 16, and 18, it is unclear how one singular first proxy server can be present in more than one user computer.

12. Claims 8, 13, 16, 19-22, 24, 26, 28, 32, 34, 37, 39, 43, 45, 48, and 50 are rejected under 35 U.S.C. 112, first paragraph, as based on a disclosure which is not enabling. Limitations critical or essential to the practice of the invention, but not included in the claim(s) are not enabled by the disclosure. See *In re Mayhew*, 527 F.2d 1229, 188 USPQ 356 (CCPA 1976). Applicant claimed a range of access levels "from maximum 100% access to full suspension". No portion of the specification disclosed what is meant by a range of access levels, much less a range "from maximum 100% access to

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full suspension". Applicant referred to this on page 19, line 2 of the specification, but failed to define what is meant by either maximum 100% access or full suspension.

13. Claims 51-58, 102, and 115-124 are rejected under 35 U.S.C. 112, first paragraph, as based on a disclosure which is not enabling. Limitations critical or essential to the practice of the invention, but not included in the claim(s) are not enabled by the disclosure. See *In re Mayhew*, 527 F.2d 1229, 188 USPQ 356 (CCPA 1976). Applicant failed to disclose a logfile of requested sites by a user in the specification.

14. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

15. Claims 1, 3-5, 7, 9, 11, 23, 25, 27, 33, 38, 41, 44, 46-47, 49, 62-67, 71-73, 80, 84, and 103-114 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

16. The terms "friendly" and "unfriendly" in claims 1, 5, 7, 11, 41, 46, 63, 71, 80, and 84 are relative terms which render the claims indefinite. The terms "friendly" and "unfriendly" are not defined by the claim, the specification does not provide a standard for ascertaining the requisite degrees, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. Applicant should clearly state what is meant by something that is "friendly" and something that is "unfriendly".

17. Claims 1, 5, 7, 9, 11, 41, 46, 47, and 103-114 are indefinite because Applicant is creating a "regular" account with "varying amounts" of administrative privileges. Applicant has not defined what the difference is between an "administrator" account and a "regular" account. Applicant has not defined an amount of administrative privileges for a "regular" account or an "administrator" account.

18. Claims 1, 5, and 41 are indefinite because it is unclear whether the second proxy server is placed between the first proxy server and the internet contains the administrative module and the friendly or

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unfriendly lists, or if the presence of the second proxy server has eliminated the need for the administrative module or the friendly or unfriendly lists.

19. In regard to claims 3, 62, 64-67, 72-73, and 97-98 it is unclear if the third proxy server is forwarding requests to the first and/or second proxy servers or to other unnamed proxy servers.

20. In regard to claims 4, 23, 25, 27, 33, 38, 44, and 49 it is unclear if the dialup connection is also to the local area network and a virtual network connection. It is unclear if the local area network necessarily has a virtual network connection. It is unclear if the dialup modem required a virtual network connection.

21. Claims 5 and 11 refer to "said first proxy server." There is insufficient antecedent basis present in the claims for a "first proxy server."

22. Claims 63 and 71 refer to approved and unapproved clients. It is unclear from the specification and claim context what an approved or unapproved client means. It is unclear what criteria are used to determine the approvability/un-approvability of a client.

Claim Rejections - 35 USC § 102

23. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

24. Claims 1-30, 32-35 and 37-124 are rejected under 35 U.S.C. 102(e) as being anticipated by Fuh et al. (U.S. Patent No. 6,463,474).

25. In regard to claims 1, 5, 7, 11, 41 and 46, Fuh disclosed *a plurality of computer users, one or a plurality of user computers, each having a dynamically allocated Internet protocol address or a static Internet Protocol address, an administrative module/interface that includes configuration settings for*

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inbound communications and for outbound communications, has list maintenance functions including list editing, list deleting, searching of lists, saving of lists, proxy chaining routing, adding and deleting users, interchanging lists and importing and exporting lists, said administrative module located in a user computer for configuring a range of access levels and being capable of creating three types of user accounts that require unique authentication credentials for each user account including an administrator account that is self-configuring and regular accounts with varying amounts of administrative privileges, a first proxy server in one or a plurality of user computers of a local area network with access to the world wide web, each of said first proxy server having a friendly outbound list and/or an unfriendly outbound list only one of which is active at any given time, and/or having a friendly inbound list and/or an unfriendly inbound list only one of which is active at any given time, the friendly outbound list, the unfriendly outbound list, the friendly inbound list and the unfriendly inbound lists being uniquely configurable for each user account, said first proxy server programmed to receive a request from an HTTP client, check the identity of a requesting client and/or of a requested URL against the friendly inbound, friendly outbound, unfriendly inbound or unfriendly outbound list maintained by the administrative module and then either approve the request, terminate the request or re-route the request, a second proxy server without the administrative module or the friendly or the unfriendly lists placed between the first proxy server and the Internet, the second proxy server being capable of communicating to a proxy of a destination or directly to a destination, said second proxy server having an Internet Protocol address configurable only by a holder of the administrator account or a regular account with administrative privileges, the first proxy server and the second proxy server have a network communication link between them. Fuh disclosed a firewall protecting against unwanted traffic that is inbound or outbound. Column 7, lines 41-47. Fuh performed an authentication procedure to ensure access. Column 7, lines 48-61. Fuh has both a firewall (*first proxy server*) and an authentication proxy (*second proxy server*). Column 7, lines 62-67. Fuh worked over an IP network. Column 3, lines 46-64.

26. In regard to claims 2 and 6, Fuh disclosed *the second proxy server is a first proxy server but has an empty unfriendly outbound list.* This is the Authentication proxy in columns 7-8.

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27. In regard to claims 3, 64, 66, 72 and 97, Fuh disclosed *a third proxy server and/or additional proxy servers forward inbound requests for resources to other proxy servers*. Column 8, lines 35-48.

28. In regard to claims 4, 23, 25, 27, 33, 38, 44 and 49, Fuh disclosed *the system is compatible with dialup modem connection to the Internet, a local area network and with virtual network connection*. Column 7, line 17.

29. In regard to claims 8, 13, 15, 17, 19-22, 24, 26, 28, 32, 34, 37, 39, 43, 45, 48 and 50, Fuh disclosed *the range of access levels ranges from maximum 100% access to full suspension*. Allowing all traffic through an Access Control List in column 9 was maximum 100% access. Denying all traffic through an Access Control List in column 9 was full suspension.

30. In regard to claims 9, 10, 29, 30, 35, 40, 42, 47 and 103-114, Fuh disclosed *the three types of user accounts that require unique authentication credentials for each user account include an administrator account that is self-configuring, regular accounts with administrative privileges other than the privilege to create additional accounts or view information on any other accounts and regular accounts without administrative privileges and in addition a fourth type of user account namely one anonymous guest user account to be used by general users without authentication credentials*. The different types of accounts are inherent to Cisco routers using the IOS as disclosed in column 1, lines 41-57. Cisco IOS supported an administrator account and other user accounts with varying access levels at the time of the invention.

31. In regard to claims 12, 14, 16 and 18, Fuh disclosed *the first proxy server is in each and every user computer*. Column 17, lines 42-61 described a downloadable firewall program.

32. In regard to claims 51-58, 102 and 115-124, Fuh disclosed *said first proxy server is also programmed to register the request in a logfile of all websites requested by a user*. Column 5, lines 39-42.

33. In regard to claims 59 and 68, Fuh disclosed *the first proxy server is programmed to check the identity of a user who logs into the first proxy server and who presents a unique authentication credential prior to checking the identity of the requesting client and/or requested URL against the list or lists*.

Column 12, lines 38-56.

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34. In regard to claims 60, 69, 75, 78, 82, 86, 89, 92, 95 and 100, Fuh disclosed *the first proxy server is programmed, upon a successful authentication of the user's credential, to use a configuration of the user's account to check the identity of the requesting client and/or requested URL against the list or lists.* Column 12, lines 38-56.

35. In regard to claims 61, 70, 76, 79, 83, 87, 90, 93, 96 and 101, Fuh disclosed *the first proxy server is programmed that if said first proxy server fails to authenticate the user, then the first proxy server offers that user an opportunity to log in as an anonymous guest user.* Column 12, lines 38-56. The authentication procedure of Fuh inherently allowed a user to attempt to log in again after the first login attempt failed.

36. In regard to claims 62, 65, 67, 73 and 98, Fuh disclosed *a third proxy server and/or additional proxy servers forward the outbound requests for access to websites to other proxy servers.* Column 8, lines 35-48.

37. In regard to claims 63, 71, 80 and 84, Fuh disclosed *inbound communications are arranged so that an actual location of an important resource is located in an unpublished location that is a replacement location to which requests rejected by the first proxy server are rerouted, wherein approved clients are listed in the first proxy server in the unfriendly inbound list and are sent by the first proxy server to the replacement location, and wherein unapproved clients are not listed in the unfriendly inbound list and have their request sent to a published address that contains unimportant information.* Column 9, lines 20-55.

38. In regard to claims 74, 77, 81, 85, 88, 91, 94 and 99, Fuh disclosed *the first proxy server is programmed to check the identity of a user who logs into the first proxy server and who presents a unique authentication credential against a valid user account prior to checking the identity of the requesting client and/or requested URL against the list or lists.* Column 12, lines 38-56.

Conclusion

39. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

40. Baker et al.

U.S. Patent No. 5,678,041

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|-----|------------------|---------------------------|
| 41. | Katiyar | U.S. Patent No. 5,748,897 |
| 42. | Benantar et al. | U.S. Patent No. 5,765,153 |
| 43. | Kitain et al. | U.S. Patent No. 5,864,871 |
| 44. | Butman et al. | U.S. Patent No. 5,867,665 |
| 45. | Green et al. | U.S. Patent No. 6,003,084 |
| 46. | Wiegel | U.S. Patent No. 6,484,261 |
| 47. | Theriault et al. | U.S. Patent No. 6,049,821 |
| 48. | Shapiro et al. | U.S. Patent No. 5,991,810 |
| 49. | Stockwell et al. | U.S. Patent No. 5,950,195 |
| 50. | Shambroom | U.S. Patent No. 5,923,756 |
51. Held, Gilbert. "Working with Cisco Access Lists." International Journal of Network Management. Volume 9, Issue 3, 151-154. May 1999. John Wiley & Sons, Inc.
52. Bolding, Darren. "Network Security, Filters and Firewalls." Crossroads. Volume 2, Issue 1. September 1995. ACM Press.
53. Gupta, Vipul et al. "Secure and Mobile Networking." Mobile Networks and Applications. Volume 3, Issue 4, 381-390. Kluwer Academic Publishers. December 1998.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey R. Swearingen whose telephone number is (571) 272-3921. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on 571-272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jason Cardone
Supervisory Patent Examiner
Art Unit 2145